

### Remarks

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Claims 28 and 31 have been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 28 has been amended in a manner similar to that suggested in the rejection. As a result, withdrawal of the rejection is respectfully requested.

Claims 18, 20 and 28-31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujinami (US 5,881,203) in view Tanoue (US 6,298,033) and Kikuchi (US 5,870,523).

Claims 18, 20 and 28 have been amended so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejection. As a result, the rejection is submitted to no longer be applicable for the following reasons.

Claim 18 is patentable over the combination of Fujinami, Tanoue and Kikuchi, since claim 18 recites an information recording apparatus including, in part, a generating section for determining whether an input object is a first object or a second object, generating management information including map information for the first object, and setting a validity flag in the management information to a valid state, when the input object is determined to be a first object, and generating management information for the second object, and setting the validity flag in the management information to an invalid state, when the input object is determined to be a second object, wherein the management information has, as information to identify the first object and second object, the validity flag which indicates whether the map information for each first object and second object is valid, and wherein the first object is of a different type than the second object. The combination of Fujinami, Tanoue and Kikuchi fails to disclose or suggest the features related to the validity flag as recited in claim 18.

In the combination, Fujinami is relied upon as disclosing the map information as recited in claim 18. To this end, it is noted that Fujinami does disclose a MAP information storage device 35 that stores information entered from an external input device, and is controlled by a controller 8 so that the information stored in the MAP information storage device 35 will be read out each time the information constitutes an entry sector and will be subsequently stored in the entry sector. Further, if the information is such that it uses the position of a future entry sector,

the position of the entry sector is read out from an entry point storage device 33 and supplied to a DSM 10 for recording therein. (See column 8, lines 23-32; column 12, lines 6-14; and Figure 1).

Based on the above discussion of the MAP information storage device 35, it is apparent that the MAP information storage device 35 stores information related to an address of an entry point of an object using information in the address domain. However, as admitted in the rejection, there is no disclosure or suggestion of a validity flag in Fujinami. As a result, Kikuchi is relied upon as disclosing this feature of claim 18.

Regarding Kikuchi, it does disclose a flag (V\_FWD\_Exist1) that indicates whether video data exists in a video object unit (VOBU) 85 of a video object. The flag (V\_FWD\_Exist1) is indicated in the rejection as corresponding to the claimed validity flag. However, the flag (V\_FWD\_Exist1) is defined such that when the flag is set to 0, the flag provides an indication that there is no video data in the video object unit (VOBU), and when the flag is set to 1, the flag provides an indication that there is video data in the video object unit (VOBU). (See column 20, line 66 – column 21, line 53).

As discussed above, the flag (V\_FWD\_Exist1) indicates whether or not video data exists in the video object unit (VOBU). Regarding this, the flag (V\_FWD\_Exist1) is referred to for trick play, such as fast forward, and indicates whether or not a type of picture in an object in which an I-picture position is detected is an I-picture. However, it is apparent that the flag (V\_FWD\_Exist1) is disclosed as only being associated with one type of object. In other words, the flag (V\_FWD\_Exist1) is associated with whether or not a type of picture exists within a single object type (e.g., an MPEG object) and not with whether or not the object itself is of one type or another.

On the other hand, the claimed validity flag is used as information to identify the first object and second object, which are of different types, by indicating whether there is valid map information present, which manages a location on which an intra-coded picture of the object is recorded. As a result, it is apparent that the flag (V\_FWD\_Exist1) of Kikuchi does not correspond to the claimed validity flag, since the two flags have different purposes.

Regarding Tanoue, it is relied upon in the combination as disclosing the use of an error correction code (ECC). However, Tanoue fails to disclose or suggest the validity flag as recited in claim 18. As a result, it is apparent that the combination of Fujinami, Tanoue and Kikuchi fails to render claim 18 obvious.


As for claims 20 and 28, they are patentable over the references relied upon in the rejection for reasons similar to those set forth above in support of claim 18. That is, claims 20 and 28 each recite a validity flag in a manner similar to that discussed above regarding claim 18. As a result, it is submitted that claims 20 and 28 are also allowable over the references.

Because of the above-mentioned distinctions, it is believed clear that claims 18, 20 and 28-31 are allowable over the references relied upon in the rejection. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 18, 20 and 28-31. Therefore, it is submitted that claims 18, 20 and 28-31 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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